[Sri K. Madhava Menon] [26th November 1949

" It is gratifying indeed, Sir, that the Leader of the Opposition has complemented the Government."

THE DEPUTY PRESIDENT :—" The question is—

'that the Madras Registration of Births and Deaths (Amendment) Bill, 1949, be passed into law'."

The motion was carried and the Bill was passed into law.

(12) THE PROVINCIAL SMALL CAUSE COURTS (MADRAS AMENDMENT) BILL, 1949 (L.A. BILL NO. 38 OF 1949).

3-45 p.m. * THE HON. SRI K. MADHAVA MENON :—" Mr. Deputy President, I move—

'*that the Provincial Small Cause Courts (Madras Amendment) Bill* [a] *as passed by the Legislative Assembly be taken into consideration at once.*'

" Sir, the object of the Bill is to correct a mistake that has crept in, in the matter of grant of vacation to the additional small cause courts in the districts. Till 1946, district munsifs and subordinate judges were being invested with small cause powers under section 28 of the Madras Civil Courts Act, 1873. The civil courts were having vacation under the Civil Courts Act. There is no provision in the Provincial Small Cause Courts Act for vacations being granted to courts constituted under that Act. In 1946, the Government on the suggestion of the High Court invested District Munsifs and Official Receivers with small cause powers under the Provincial Small Cause Courts Act. These courts enjoyed vacation though they were not entitled to it under the Act. It is a mistake. The High Court suggested to the Government that it may be rectified. The Bill makes provision for the grant of vacation from the date the courts were invested with powers under the Act."

THE DEPUTY PRESIDENT :—" Motion moved—

'that the Provincial Small Cause Courts (Madras Amendment) Bill, 1949 (L.A. Bill No. 38 of 1949), as passed by the Legislative Assembly be taken into consideration at once'."

DR. V. K. JOHN :—" Sir, in my opinion the provision made here is a very desirable one. I support it."

The motion that the Bill be taken into consideration at once was put and carried.

Clauses 2, 1 and the Preamble were put one by one and carried.

* THE HON. SRI K. MADHAVA MENON :—" I move, Sir, that the Bill be passed into law. I have heard the Leader of the Opposition condemning us outright for passing legislation which is retro-active or retrospective in its effect. I am very glad to hear the Hon. the Leader of the Opposition say that this Bill is a very desirable one."

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[a] Printed as Appendix XVI on page 710 infra.

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THE DEPUTY PRESIDENT :—" The question is—

'that the Provincial Small Cause Courts (Madras Amendment) Bill, 1949, as passed by the Legislative Assembly be passed into law'."

The motion was put and carried and the Bill was passed into law.

THE DEPUTY PRESIDENT :—" The House will now adjourn and meet again at 11 a.m. on the 22nd December 1949."

IV.—PAPERS LAID ON THE TABLE OF THE HOUSE.

(Bills as passed by the Assembly and received therefrom in the Council.)

1. *The Madras Buildings (Lease and Rent Control) Bill*, 1949 (*L.A. Bill No.* 26 *of* 1949).

2. *The Madras Prohibition (Amendment) Bill*, 1949 (*L.A. Bill No.* 27 *of* 1949).

3. *The Madras Drugs (Control) Bill*, 1949 (*L.A. Bill No.* 28 *of* 1949).

4. *The Madras Tenants and Ryots Protection Bill*, 1949 (*L.A. Bill No.* 29 *of* 1949).

5. *The Madras Preservation of Private Forests Bill*, 1949 (*L.A. Bill No.* 30 *of* 1949).

6. *The Madras Jute Goods Control Bill*, 1949 (*L.A. Bill No.* 31 *of* 1949).

7. *The Madras Hackney Carriage (Amendment) Bill*, 1949 (*L.A. Bill No.* 33 *of* 1949).

8. *The Indian Treasure Trove (Madras Amendment) Bill*, 1949 (*L.A. Bill No.* 34 *of* 1949).

9. *The Madras Rivers Conservancy (Amendment) Bill*, 1949 (*L.A. Bill No.* 35 *of* 1949).

10. *The Tuticorin Port Trust (Amendment) Bill*, 1949 (*L.A. Bill No.* 36 *of* 1949).

11. *The Madras Registration of Births and Deaths (Amendment Bill*, 1949 (*L.A. Bill No.* 37 *of* 1949).

12. *G.O. No.* 2180, *L.A., dated* 19*th October* 1949, *issuing instructions in regard to the conduct of elections to the Gummileru Panchayat Board (East Godavari).*

13. *The Provincial Small Cause Courts (Madras Amendment) Bill*, 1949 (*L.A. Bill No.* 38 *of* 1949).